

Henry E Darby, Chair
Jenny Costa Honeycutt
Anna B Johnson
Kylon Jerome Middleton
Brantley Moody
Teddie Pryor
Herb Sass
Dickie Schweers
Robert L Wehrman



Planning & Public Works Committee Agenda
November 18, 2021 at 5:00 PM
4045 Bridgeview Drive, North Charleston, SC 29405

1 APPROVAL OF MINUTES OF SEPTEMBER 23, 2021

2 DEVELOPMENT AGREEMENTS

**2A Spring Grove and Golden Grove
Development Agreements**

- Request to Consider

Charleston County Council

Memorandum

To: Members of Planning and Public Works Committee

From: Kristen Salisbury, Clerk of Council

Date: November 12, 2021

Subject: Minutes of September 23, 2021

At the Planning and Public Works Committee meeting of November 18, 2021, the draft minutes of September 23, 2021 will be presented for approval.

Committee Agenda Item

To: Bill Tuten, County Administrator
From: Andrea Melocik for Joel Evans **Dept.:** Planning/Zoning
Subject: Spring Grove and Golden Grove Development Agreements
Request: Request to Consider
Committee: Planning & Public Works Committee **Date:** November 18, 2021

Department	Approver
Deputy County Administrator	Walter L. Smalls
Public Works	Eric Adams
Budget	Mack Gile
Legal	Marc Belle
Administrator	Bill Tuten
Clerk	Kristen L. Salisbury

Fiscal Impact:
None.

Funding: Was funding previously approved? N/A

If yes, please provide the following:	Org	Object	Balance in Account	Amount Needed for item

Situation:

On November 19, 2015, after many years of negotiations, County Council gave final approval to the Spring Grove Development Agreement by and between the County and MWV-East Edisto Spring Grove. The 50-year Development Agreement governs the development of 14,508 acres located in western Charleston County through 2065 and includes obligations that must be met by the property owner (Community Enhancement Fund, transportation improvements, right-of-way dedications, form-based zoning requirements, etc.).

On May 17, 2017, MWV conveyed to Golden-Grove, LLC, a South Carolina limited liability company, and Thompson-Golden, LLC, a South Carolina limited liability company, a 658.3-acre tract of land within the Spring Grove Development Agreement. The Town of Ravenel annexed six parcels totaling approx. 598 acres at the intersection of New Rd and Savannah Highway on July 27, 2021.

Four of these parcels, totaling approximately 596 acres, are located within the Spring Grove Development Agreement. The other two properties were zoned AGR prior to annexation. The Town has adopted, but not yet executed, a development agreement with the property owner for the development of all six properties, and the Town has zoned the properties Planned Development. The Town’s development agreement is valid for 10 years from the date it is executed.

- The Planned Development approved by the Town includes the following densities/intensities:
- Residential Land Bay: 381 dwelling units (lot sizes range from 4,500 SF to 7,500 SF).
 - Resource Extraction Land Bay: Resource extraction followed by residential development. Total number of units to be calculated based on net developable acreage (gross acreage minus ponds and public rights-of-way with a min. lot size of ½ acre).
 - Commercial Land Bay: Approximately 337,000 SF of commercial/office space.

The property owner is requesting to amend the Spring Grove Development Agreement to release four of the properties annexed by the Town of Ravenel and enter into a three party agreement with the Town and the owner of the properties. Staff has been working with the property owner to finalize the terms of the three party agreement, which are listed below, since July 2021:

- Lots located north of Old Jacksonboro Rd that have direct access to New Rd must be at least 3 acres in size. No lots south of Old Jacksonboro Rd shall have direct access to New Rd and there shall be a 50-foot vegetated buffer along New Rd in this area (The Spring Grove Development Agreement requires lots along New Road that are south of Old Jacksonboro Road be a minimum of 3 acres in size);
- The Community Enhancement Fund shall apply, which requires the property owner to pay 0.5% of the construction value of any residential improvement. This fee is to be paid to the County, which shall establish a program to administer and disburse the funds (same as required by the Spring Grove Development Agreement except that payment of the fee is required at the time of building permit issuance instead of on an annual basis);
- On or before March 1, 2022, the Property Owner shall convey to the County, at no cost, up to 75 feet of additional right-of-way along New Rd and an additional rectangular right-of-way measuring 25 feet in width by 300 feet in length along Old Jacksonboro Road in the southwest quadrant of the intersection with New Road d (The Spring Grove Development Agreement requires donation of 75 feet of right-of-way along New Road and Highway 165);
- The property owner must perform a traffic study for each phase/land bay of the development that meets the thresholds, mitigation, and cost sharing requirements of the Spring Grove Development Agreement;
- The property owner must design and construct all roads in accordance with the County's Road Construction Standards and all road plans must be reviewed and approved by the County;
- The use of Old Jacksonboro Road for activities associated with resource extraction or construction access is prohibited. The property owner must obtain an encroachment permit from the County Public Works Department for access from New Road, and shall submit a maintenance bond in accordance with County Road Construction Standards.
- Termination, amendment, or extension of the Golden Grove Development Agreement shall require written consent of the Town, Property Owner, and County; and
- Proposed amendments to the planned development for the properties subject to the Golden Grove Development Agreement that are not classified as minor amendments pursuant to the Town of Ravenel Zoning Ordinance shall require written consent of the Town, Property Owner, and County.

Department Head Recommendation:

That Council:

1. Approve and give first reading to ordinances authorizing the proposed amendments to the County's Spring Grove Development Agreement to release the four properties annexed by the Town of Ravenel and approving the three-party agreement with the Town and the owner of the properties.
2. Authorize the Chairman to sign the Spring Grove three-party Development Agreement with the Town of Ravenel and the property owners.



SUMMARY OF REQUESTED AMENDMENTS: SPRING GROVE DEVELOPMENT AGREEMENT

NOVEMBER 18, 2021



MAP NO. 1.1.4 (SETTLEMENTS MAP)

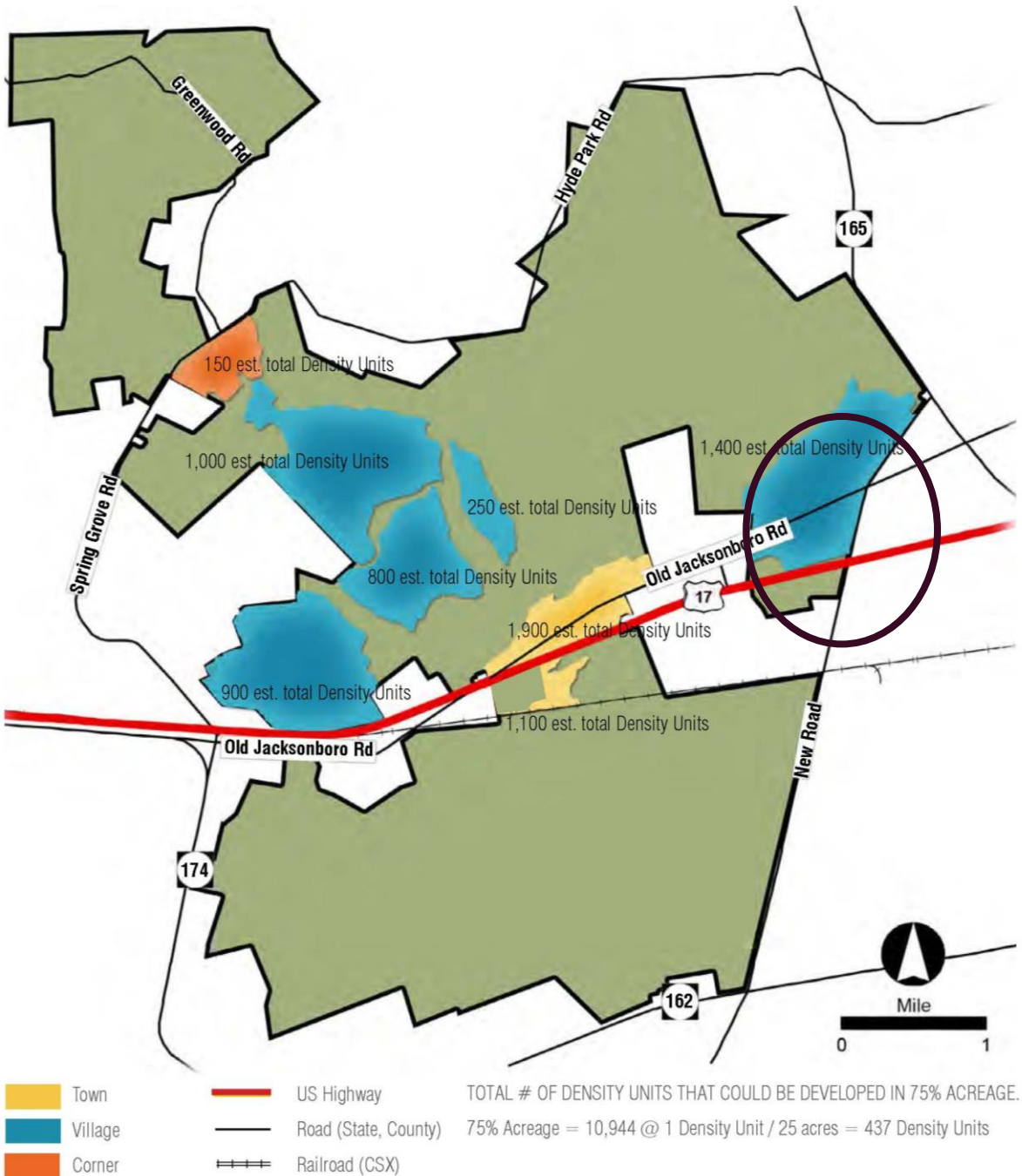


 Town	 Village	 Corner	 US Highway	 Road (State, County)	 Railroad (CSX)	TOTAL # OF DENSITY UNITS THAT COULD BE DEVELOPED IN 75% ACREAGE.
						75% Acreage = 10,944 @ 1 Density Unit / 25 acres = 437 Density Units

- On November 19, 2015, after many years of negotiations, County Council gave final approval to the Spring Grove Development Agreement by and between the County and MWV-East Edisto Spring Grove.

- The 50-year Development Agreement governs the development of 14,508 acres located in western Charleston County through 2065 and includes obligations that must be met by the property owner (Community Enhancement Fund, transportation improvements, right-of-way dedications, form-based zoning requirements, etc.).

MAP NO. 1.1.4 (SETTLEMENTS MAP)

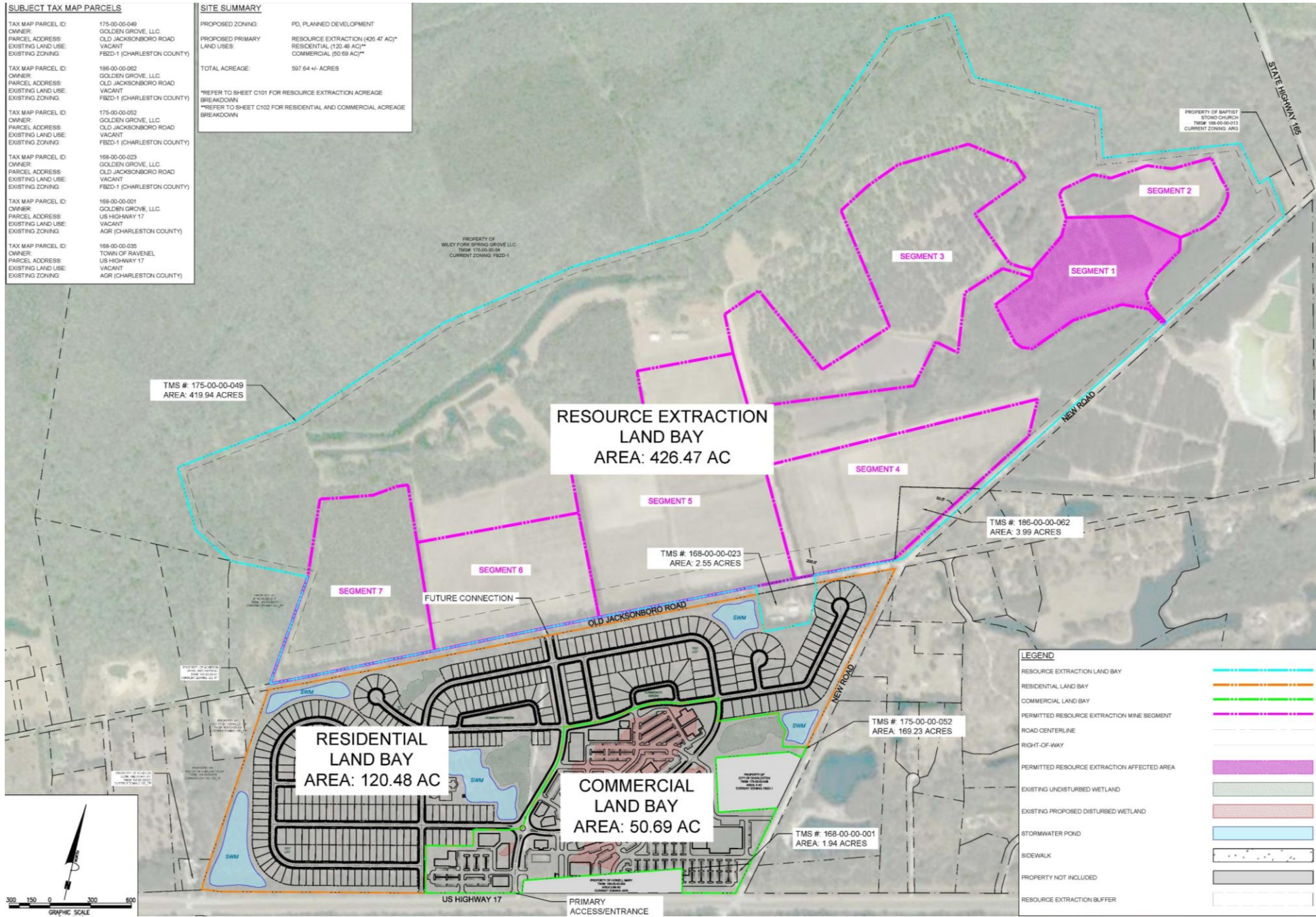


TOTAL # OF DENSITY UNITS THAT COULD BE DEVELOPED IN 75% ACREAGE.
 75% Acreage = 10,944 @ 1 Density Unit / 25 acres = 437 Density Units

- On May 17, 2017, MWV conveyed to Golden-Grove, LLC, a South Carolina limited liability company, and Thompson-Golden, LLC, a South Carolina limited liability company, a 658.3-acre tract of land within the Spring Grove Development Agreement.
- On July 27, 2021, the Town of Ravenel annexed six parcels totaling approx. 598 acres at the intersection of New Rd and Savannah Hwy.
 - Four of these parcels, totaling approx. 596 acres, are located within the Spring Grove Development Agreement. The Town also has adopted, but not yet executed, a development agreement with the property owner for the development of these properties, and the Town has zoned the properties Planned Development. The Town's development agreement is valid for 10 years from the date it is executed.
 - The other two properties were zoned AGR prior to annexation.

SUBJECT TAX MAP PARCELS	
TAX MAP PARCEL ID	175-00-00-049
OWNER	GOLDEN GROVE, LLC.
PARCEL ADDRESS	OLD JACKSONBORO ROAD
EXISTING LAND USE	VACANT
EXISTING ZONING	FBZD-1 (CHARLESTON COUNTY)
TAX MAP PARCEL ID	186-00-00-062
OWNER	GOLDEN GROVE, LLC.
PARCEL ADDRESS	OLD JACKSONBORO ROAD
EXISTING LAND USE	VACANT
EXISTING ZONING	FBZD-1 (CHARLESTON COUNTY)
TAX MAP PARCEL ID	175-00-00-052
OWNER	GOLDEN GROVE, LLC.
PARCEL ADDRESS	OLD JACKSONBORO ROAD
EXISTING LAND USE	VACANT
EXISTING ZONING	FBZD-1 (CHARLESTON COUNTY)
TAX MAP PARCEL ID	188-00-00-023
OWNER	GOLDEN GROVE, LLC.
PARCEL ADDRESS	OLD JACKSONBORO ROAD
EXISTING LAND USE	VACANT
EXISTING ZONING	FBZD-1 (CHARLESTON COUNTY)
TAX MAP PARCEL ID	188-00-00-001
OWNER	GOLDEN GROVE, LLC.
PARCEL ADDRESS	US HIGHWAY 17
EXISTING LAND USE	VACANT
EXISTING ZONING	AGR (CHARLESTON COUNTY)
TAX MAP PARCEL ID	188-00-00-035
OWNER	TOWN OF HAUVENEL
PARCEL ADDRESS	US HIGHWAY 17
EXISTING LAND USE	VACANT
EXISTING ZONING	AGR (CHARLESTON COUNTY)

SITE SUMMARY	
PROPOSED ZONING:	PD, PLANNED DEVELOPMENT
PROPOSED PRIMARY LAND USES:	RESOURCE EXTRACTION (426.47 AC) RESIDENTIAL (120.48 AC) COMMERCIAL (50.69 AC)**
TOTAL ACREAGE:	597.64 +/- ACRES
**REFER TO SHEET C101 FOR RESOURCE EXTRACTION ACREAGE BREAKDOWN	
**REFER TO SHEET C102 FOR RESIDENTIAL AND COMMERCIAL ACREAGE BREAKDOWN	



- **Residential Land Bay:** 381 dwelling units (lot sizes range from 4,500 SF to 7,500 SF).
- **Resource Extraction Land Bay:** Resource extraction followed by residential development. Total number of units to be calculated based on net developable acreage (gross acreage minus ponds and public rights-of-way with a min. lot size of 1/2 acre).
- **Commercial Land Bay:** Approximately 337,000 SF of commercial/office space.

PROPERTY OWNER REQUEST

- The property owner is requesting to amend the Spring Grove Development Agreement to release four of the properties annexed by the Town of Ravenel and enter into a three party agreement (Golden Grove Development Agreement) with the Town and the owner of the properties.
- South Carolina State Law:
 - When an area located within a development agreement is annexed, the development remains valid for the duration of the agreement or eight years from the effective date of the annexation, whichever is earlier.
 - The parties to the development agreement may agree to extend the development agreement up to fifteen years from the effective date of the annexation.
 - In this case, the development agreement would remain in effect for eight years from the date of annexation (July 27, 2029), unless the parties agreed to extend it up to an additional seven years.

AGREEMENT TERMS

- Staff has been working with the property owner to finalize the terms of the agreement since July 2021. Terms include:
 - Lots located north of Old Jacksonboro Rd that have direct access to New Rd must be at least 3 acres in size. No lots south of Old Jacksonboro Rd shall have direct access to New Rd and there shall be a 50' vegetated buffer along New Rd in this area (*Spring Grove Development Agreement requires lots along New Rd that are south of Old Jacksonboro Rd be a minimum of 3 acres in size*);
 - The Community Enhancement Fund shall apply, which requires the property owner to pay 0.5% of the construction value of any residential improvement. This fee is to be paid to the County, which shall establish a program to administer and disburse the funds (*same as required by the Spring Grove Development Agreement except that payment of the fee is required at the time of building permit issuance instead of on an annual basis*);
 - On or before March 1, 2022, the Property Owner shall convey to the County, at no cost, up to 75' of additional right-of-way along New Rd and an additional rectangular right-of-way measuring 25' in width by 300' in length along Old Jacksonboro Rd in the southwest quadrant of the intersection with New Rd (*current development agreement requires donation of 75' of right-of-way along New Rd and Hwy 165*);

AGREEMENT TERMS (CONT'D)

- Staff has been working with the property owner to finalize the terms of the agreement since July 2021. Terms include:
 - The property owner must perform a traffic study for each phase/land bay of the development that meets the thresholds, mitigation, and cost sharing requirements of the Spring Grove Development Agreement;
 - The property owner must design and construct all roads in accordance with the County's Road Construction Standards and all road plans must be reviewed and approved by the County;
 - The use of Old Jacksonboro Rd for activities associated with resource extraction or construction access is prohibited. The property owner must obtain an encroachment permit from the County Public Works Department for access from New Rd, and shall submit a maintenance bond in accordance with County Road Construction Standards;
 - Termination, amendment, or extension of the Golden Grove Development Agreement shall require written consent of the Town, Property Owner, and County; and
 - Proposed amendments to the planned development for the properties subject to the Golden Grove Development Agreement that are not classified as minor amendments pursuant to the Town of Ravenel Zoning Ordinance shall require written consent of the Town, Property Owner, and County.